

NATIONAL APPEALS DIVISION

REVISED FY 2000 AND FY 2001 ANNUAL PERFORMANCE PLANS

The National Appeals Division (NAD) of the U.S. Department of Agriculture was established by the Secretary of Agriculture on October 20, 1994, by Secretary's Memorandum 1010-1, pursuant to the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (P. L. 103-354, §271 et seq., October 13, 1994). The Act consolidated the appellate functions and staffs of several USDA agencies to provide for independent hearings and reviews of adverse decisions.

NAD is responsible for administrative appeals arising from program decisions of specified USDA agencies. NAD maintains its headquarters office in Alexandria, Virginia, and administers its appeals system through three regional offices located in Memphis, Tennessee; Indianapolis, Indiana; and Lakewood, Colorado. Hearing Officers are dispersed geographically throughout the nation and operate out of leased office space or home offices. This plan was revised to account for the accumulated performance data, GPRA knowledge and experience, and organizational changes of the past few years. NAD has a single mission - to conduct evidentiary administrative appeal hearings and reviews arising from program operations of assigned agencies.

More information about the National Appeals Division can be found on NAD's Web site www.nad.usda.gov.

Goal 1: To conduct timely hearings and issue timely and well reasoned determinations which correctly interpret and apply applicable regulations.

Objective: By 2002, meet the statutorily mandated time frames for conducting appeal hearings, issuing appeal hearing and review determinations, and increase percent of hearing officer determinations upheld on review by 5%. This objective, while different from NAD's strategic plan, conveys the same message but in a more definable way.

Baseline: Conduct hearings and issue determinations within specified times according to the Code of Federal Regulations.

Program Activities: National Appeals Division.

	FY 1998 Actual	FY 1999 Actual	FY 2000 Estimate	FY 2001 Estimate
Funding (in thousands of dollars)	\$11,605	\$11,620	\$11,707	\$12,610
FTEs	127	129	133	133

PERFORMANCE GOAL AND INDICATORS	FY 1998 Actual	FY 1999 Actual	FY 2000 Target	FY 2001 Target
Conduct hearings and issue determinations within applicable timeframes.				
Percent of hearings conducted within 45 calendar days.	77%	100%	100%	100%
Percent of appeal determinations issued within 30 calendar days.	70%	75%	77%	80%
Percent of review determinations issued within 30 calendar days.	37%	45%	45%	50%
Percent of Hearing Officer determinations upheld on review.	68%	77%	76%	77%

Discussion of Annual Performance Goals: The achievement of this annual performance goal supports the achievement of USDA's Strategic Goals 1.1, enhance the economic safety net for farmers and ranchers; 1.3, provide access to capital and credit to enhance the ability of rural communities to develop, grow, and invest in projects to expand economic opportunities and improve the quality of life for farm and rural residents; and 3.1, promote sustainable production of food and fiber products while maintaining a quality environment and strong natural resource base by providing an avenue for a fair and equitable adjudicative process that promotes the lawful operation of USDA programs.

The strategic objective is to meet the requirements of the final rule issued by the Secretary establishing procedure for NAD, in 7 CFR 11, regarding time requirements in each stage of an administrative appeal. The FY 2000 and 2001 performance goal has been revised to accord with NAD's final rule. Should future revisions occur, appropriate changes will be made in the performance goal.

Means and Strategies: Attaining NAD's performance goal is predicated on continually improving NAD's training program. Several initiatives were developed in order to accomplish the performance goal. A \$589,000 budget request for training was submitted to Congress for FY 2001. These funds will be used to implement training as described later in this plan under Management Initiatives. Accomplishment of NAD's Management Goal will allow it to demonstrate that it met, or exceed, its Strategic Plan goal by measuring how successful NAD is in meeting its CFR-directed time lines. The initiatives that will allow this to be accomplished are an online training program and a performance management system. There are no significant external factors which may affect performance of accomplishing NAD's strategic goal.

The goal of these initiatives is to utilize the Internet as a training resource, and to utilize organizational development tools to properly measure NAD processes, functions and output. These initiatives have not been fully implemented because of insufficient funds. NAD has requested additional appropriations for several years specifically for training and performance management, to no avail. Accomplishing the performance goal through these initiatives may not occur within the intended time-frame.

Verification and Validation: NAD relies on its management information system, NADTrack, to provide data on hearings, reviews, and related activities. The information is regularly reviewed by NAD management staff for accuracy and reliability. The system also contains checks and balances for data record consistency. However, serious deficiencies exist with respect to performance data. The data being captured doesn't represent all NAD activity. The performance management initiative described above was developed to account for this deficiency, and to enhance managements' ability to monitor, analyze, and modify operations.

Management Initiative #1: Employ a well-trained staff; treat employees and customers fairly, with dignity and respect.

Program Activities: National Appeals Division

	FY 1998 Actual	FY 1999 Actual	FY 2000 Estimate	FY 2001 Estimate
Funding (in thousands of dollars)	Included under program goals.			
FTEs				

PERFORMANCE GOALS AND INDICATORS	FY 1998 Actual	FY 1999 Actual	FY 2000 Target	FY 2001 Target
Increase percent of employees who enroll in and complete at least one NAD/AmeriSchool developed web-based training courses via the Internet.	n/a	n/a	25%	50%
Reduce the number of substantiated EEO complaints filed by employees.	3	3	2	1
Increase the percent of customers who report they were treated fairly and with respect by Hearing Officers.	n/a	65%	66%	67%

Discussion of Performance Goal: The achievement of this performance goal supports the Department's Management Initiative 1: ensure that all customers and employees are treated fairly and equitably, with dignity and respect. Providing a work environment in which employees and customers are valued is a current and future priority. Employees in the workplace cannot perform at peak efficiency without a satisfactory work environment. This on-going initiative will promote trust, teamwork and communication. It also encourages involvement of staff at all levels in program decisions.

NAD designed, and received approval for release, a tailored customer survey which was sent to former customers during FY 1999. An exceptional response rate, with an equal representation of surveys being returned from each of NAD's three regions, allowed for a reliable statistical review. While most responding appellants did not prevail in their challenges to Agency decisions, a significant number indicated they were treated fairly and with respect by the Hearing Officer and regional staff. Although the percentage in this category is high, continued emphasis will ensure customers continue to be treated fairly and with respect.

Means and Strategies: The performance goal will be accomplished within the FY 2001 budget through intensified civil rights training of all employees in conjunction with the Department-wide training effort, continuing awareness by management/leadership staff, and continuing recruitment efforts designed to reach a broad audience. NAD will also continue to enhance its web-based training by analyzing tasks, conditions and standards of all positions to ensure training is tailored and targeted to requirements. Complimenting this effort is an increased requirement that all NAD employees are trained and literate in Internet access and operations. NAD holds the fair and equitable treatment of customers as the most meaningful evidence of mission accomplishment. Capturing this data and providing feedback, to include inclusion of lessons-learned, through NAD/AmeriSchool designed training, is a top priority. NAD is partnering with AmeriSchool to provide web-based training in relevant subject matter to all NAD employees at all work site locations. NAD employees are dispersed throughout the United States and

must often travel long distances to receive training. Over half of NAD's training budget pays travel and per diem for these trips. Each employee has a computer with Internet access provided by NAD at their work site. Significant savings in travel and per diem can be channeled into actual training if web-based training is provided. However, significant challenges lie not only in developing the training but in ensuring each employee has the knowledge, skill and ability in Internet operations. Furthermore, providing the necessary hardware and software to a nationally dispersed staff to allow enrollment and completion of Internet courses poses significant budgetary and technological challenges. The performance management system was developed to enhance the data collection of all functions, cost accounting, processes, and activities performed by NAD to assist in the development, implementation and evaluation of organizational initiatives. Proper measurement of management initiatives is critical to a successful implementation of the Annual Performance Plan.

Verification and Validation: Existing internal office procedures such as design and measurement of customer surveys, NAD-wide staffing of draft training needs analysis, quarterly organizational performance reviews, and related activities, will be used to track performance goals. Improvements made to NADTrack and data input processes, as well as other program efficiencies discussed previously, will ensure the soundness of the performance measures.

SUMMARY OF RESOURCES FOR FY 2000 (Dollars in Thousands)		
	GOAL 1	TOTAL
National Appeals Division	\$11,707 133 FTEs	\$11,707 133 FTEs
TOTAL	\$11,707 133 FTEs	\$11,707 133 FTEs

(Note: Funding for management initiatives has been included under the program goals, prorated on the basis of FTE's.)

SUMMARY OF RESOURCES FOR FY 2001 (Dollars in Thousands)		
	GOAL 1	TOTAL
National Appeals Division	\$12,610 133 FTEs	\$12,610 133 FTEs
TOTAL	\$12,610 133 FTEs	\$12,610 133 FTEs

(Note: Funding for management initiatives has been included under the program goals, prorated on the basis of FTEs.)